REMARKS

Claims 1-14 are pending in the application. Favorable consideration is requested.

At the outset, applicant thanks the Examiner for withdrawing all of the previous rejections. As discussed below, the new rejections should also be withdrawn. Applicant also thanks the Examiner for the telephone discussions that have assisted with the prosecution of this case.

As previously noted during the prosecution of this application, the claimed multilayer dose structure results in objects with superior barrier properties. In this regard, claim 1 (from which all claims depend) is directed to and requires the following features that are in the body of the claim text (not in the preamble):

> a multilayer dose for compression molding, said multilayer dose having a surface, the multilayer dose comprising
>
> a first synthetic resin, and
>
> at least one layer of a different functional resin imprisoned at least largely in said first synthetic resin,
>
> wherein, prior to any compression molding, a part of the multilayer dose's surface is concave, and
>
> wherein the multilayer dose is in the melt state and has an axis of symmetry for the realization of multilayer objects by compression molding.

As discussed below, there is no prima facie case of obviousness of claim 1. See also the previously filed Rule 132 Declaration that supplies facts in support of the patentability of the claimed invention. The Office Action has not rebutted the facts of the Rule 132 Declaration that concern, among other things, the cited Kudert reference.

The following new rejections have been lodged against the claims:

1. On pages 2-4 of the Detailed Action, the Examiner has rejected claims 1-4 and 7-14 as allegedly being obvious over Kawaguchi in view of Akiyama.
2. On pages 4-5 of the Detailed Action, the Examiner has rejected claims 5-6 as allegedly being obvious over Kawaguchi in view of Akiyama and Kudert.

Applicant traverses the rejections because they fail to set forth a prima facie case of obviousness. In fact, the primary reference (Kawaguchi) teaches away from the claimed invention that requires:

> a multilayer dose for compression molding, said multilayer dose having a surface, the multilayer dose comprising
>
> a first synthetic resin, and
>
> at least one layer of a different functional resin imprisoned at least largely in said first synthetic resin,
>
> wherein, prior to any compression molding, a part of the multilayer dose's surface is **concave**, and
>
> wherein **the multilayer dose is in the melt state.**

Kawaguchi specifically discloses an extruded composite resin having **CONVEX** surfaces – **never CONCAVE** surfaces. See Kawaguchi Figure 7E and the arrow going from reference number 122 directly to the **CONVEX** surface of the composite resin. See also Kawaguchi Figure 8A and the reference line going directly from reference number 122 to the **CONVEX** surface of the composite resin. Finally, see Kawaguchi Figures 8B, 8C, and 8D that show **TWO CONVEX** surfaces on either end of the 124 composite resin. All of these disclosures confirm that Kawaguchi's method makes resin composites having **CONVEX** surfaces – **never CONCAVE** surfaces. Copies of these Kawaguchi Figures are reproduced below.

Kawaguchi Figures:

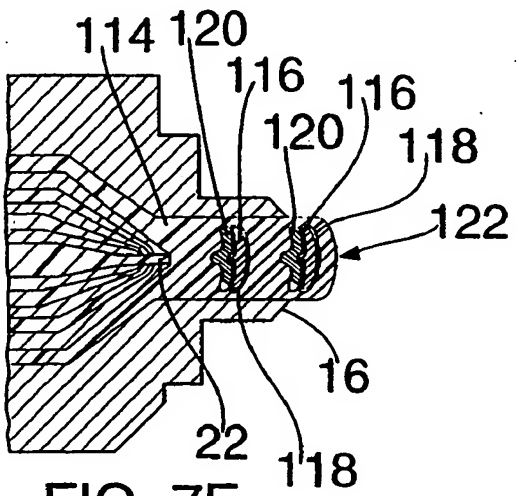


FIG. 7E

FIG. 8A

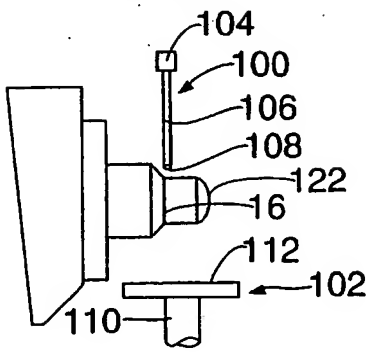


FIG. 8B

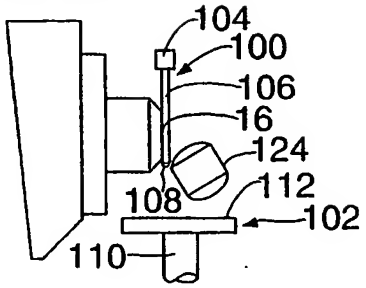


FIG. 8C

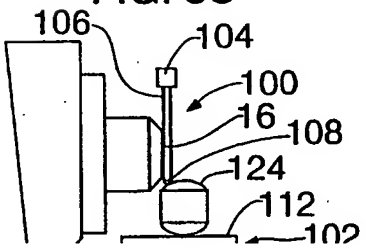
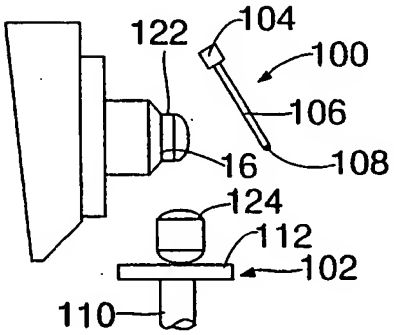


FIG. 8D



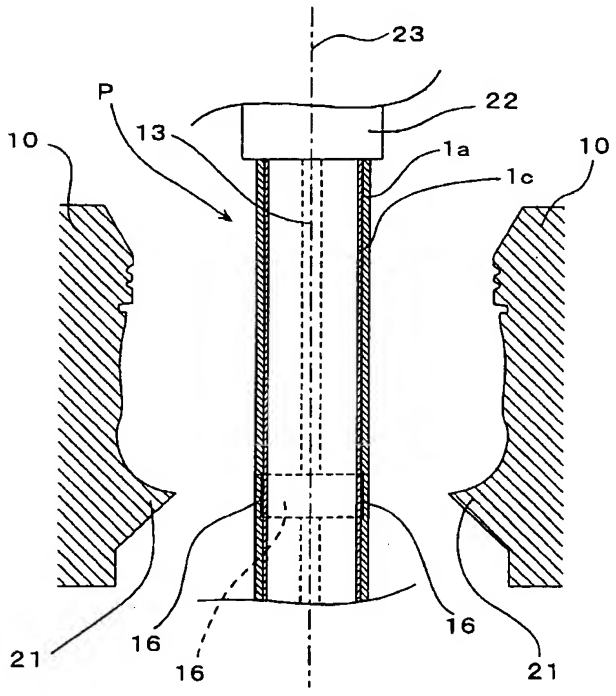
Kawaguchi's composite resins shown in the foregoing Figures are strikingly different than applicant's multilayer doses shown in applicant's Figures 6 and 8 that depict the invention of claim 1 and show **CONCAVE** surfaces of the multilayer doses.

The secondary references cannot overcome the deficiencies of the primary Kawaguchi reference because to do so would run counter to the specific **CONVEX** disclosures of Kawaguchi. As a result, there is no prima facie case of obviousness of independent claim 1 or its dependent claims.

Indeed, even Akiyama does not lead to the applicant's claimed invention. Respectfully stated, the Office Action misinterprets Akiyama. Looking at Figure 11 of

Akiyama, the parison P has a **perfectly straight surface** 1a running vertically down from the die. Aside from the fact that a parison is not a dose, Akiyama's parison P in Figure 11 has no concave surface. Only **after molding** with split molds 10 that **actually compress upon the parison P** does the parison P have a different configuration (and the compression is not along the axis of symmetry – in contrast to the applicant's claimed invention). Akiyama's Figure 11 is reproduced below.

Fig. 11



Moreover, there is no motivation to combine the different teachings of Kawaguchi and Akiyama and arrive at the claimed invention.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /Duane M. Byers/

Duane M. Byers
Reg. No. **33,363**

DMB:lmo

901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100